

### **REMARKS**

Claims 11-17 are pending in the application, and have all been rejected. Claims 12, 14, 16 and 17 are amended, and new claim 21 is added herein. Claims 1-10 and 18-20 are cancelled. Reconsideration of the application is respectfully requested in light of the above amendments and following remarks.

#### **I. REJECTION OF CLAIM 17 UNDER 35 USC § 112**

Claim 17 was rejected under 35 USC § 112, second paragraph, as being indefinite, and in particular with regard to how the buttons “conform” to the first and second patterns. Withdrawal of the rejection is respectfully requested for at least the following reasons.

Claim 17 has been amended herein to provide that the at least one button secured to the outside of the body of the sack corresponds to the first pattern and the at least one button secured to the inside of the body of the sack corresponds to the second pattern. This is consistent with language used in the detailed description of the instant application. See, for example, the second half of page 8 and the beginning of page 9 of the written description of the instant application, wherein, in one example, the outside 330 of the sack 300 can have a first pattern 340 while the inside 332 of the sack 300 can have a second pattern 342, and button 324 can correspond to the first pattern 340 and button 326 can correspond to the second pattern 342.

Accordingly, it is respectfully submitted that claim 17 is definite, and withdrawal of this rejection is therefore respectfully requested.

#### **II. REJECTION OF CLAIMS 11-15 UNDER 35 U.S.C. §102(b)**

Claims 11-15 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,431,030 to Edwards. Withdrawal of the rejection is respectfully requested for at least the following reasons.

Independent claim 11 provides that the sack comprises a first fastening means for fastening two drawn together substantially opposing portions of the body near the

open end of the sack, and a second fastening means for fastening two substantially opposing portions of the body near the open end of the sack over the drawn together portions of the sack.

It is respectfully submitted that Edwards does not teach these features. In particular, Edwards does not teach a first and second fastening means. Rather than teaching a second fastening means, for example, Edwards merely teaches a chord 9 that is weaved or laced through multiple grommets 8' at multiple locations around the top opening of the bag 1. As such, the chord does not fasten together two substantially opposing portion of the body near the open end of the sack as in claim 11. Rather, the chord 9 in Edwards merely bunches together much of the perimeter of the open end of the sack, instead of just two substantially opposing portions as recited in independent claim 11. Additionally, since the chord 9 can slide through the grommets 8', the chord 9 does not place opposing portions of the bag in a fixed relationship so as to be "fastened" as in claim 11. Accordingly, Edwards does not teach the invention as recited in independent claim 11.

Claim 12 has been amended to provide that the sack is reversible and the first and second fastening means can be fastened and unfastened by a user external to the sack such that the second substantially opposing portion of the body near the open end of the sack fastened together by the second fastening means remains over the first substantially opposing portion of the body near the open end of the sack fastened together by the first fastening means regardless of whether or not the sack is in a reversed or un-reversed configuration.

Edwards does not teach this feature since the strap 14 and buckle 15 (and chord 9 too) in Edwards could not be engaged by a user external to the bag 1 regardless of whether or not the sack is in a reversed or un-reversed configuration. In particular, to engage the strap 14 and buckle 15 when the bag is turned inside out, a user would have to be inside (rather than external to) the bag 1. This same (undesirable situation) holds true for the chord 9 in Edwards also.

Additionally, Edwards does not teach the limitation that the second substantially opposing portion of the body near the open end of the sack fastened together by the second fastening means remains over the first substantially opposing portion of the body near the open end of the sack fastened together by the first fastening means regardless of whether or not the sack is in a reversed or un-reversed configuration. Notwithstanding that the strap 14 and buckle 15 in Edwards could not be engaged when the bag 1 is in a reversed configuration, and that the that the chord 9 could similarly not be cinched when the bag 1 is in a reversed configuration (e.g., because the strap 14 and buckle 15 and the handles 9 of the chord would be inside the bag 1), the chord 9 and the strap 14 and buckle 15 in Edwards do not allow the same substantially opposing portion of the sack to be on top or overlie a different substantially opposition portion of the sack regardless of whether the sack is in a reversed or un-reversed configuration, as provided in claim 12. In particular, the chord 9 and strap 14 and buckle 15 would, at best, reverse the overlying orientation of any opposing portions when the bag 1 is in reversed and un-reversed configurations. Accordingly, Edwards does not teach the invention as recited in claim 12.

Claim 14 has been amended to recited that the first fastening means comprises a first length of material and a second length of material substantially opposite the first length of material across the open end of the sack, where the first and second lengths of material allow a user external to the sack to fasten the first two drawn together substantially opposing portions of the body near the open end of the sack, where the second fastening means fastens the second two substantially opposing portions of the body near the open end of the sack over the first substantially opposing drawn together portions of the sack, regardless of whether or not the sack is in a reversed or un-reversed configuration.

It is respectfully submitted that Edwards does not teach these features. In particular, as discussed above, the strap 14 and buckle 15 and the chord 9 in Edwards do not permit a second two substantially opposing portions of the bag 1 to be fastened over a first two substantially opposing portions of the bag 1, regardless of whether or

not the sack is in a reversed or un-reversed configuration. Rather, the overlying orientation of any such opposing portions would, at best, reverse when the bag 1 in Edwards is in reversed and un-reversed configurations. Accordingly, Edwards does not teach the invention as recited in claim 14

It is thus respectfully submitted that claims 11, 12 and 14 are not anticipated by Edwards. Claims 13 depends from claim 11, and claim 15 depends from claim 14, and as such are also not anticipated by Edwards. Accordingly, withdrawal of this rejection is respectfully submitted.

### **III. REJECTION OF CLAIM 16 UNDER 35 U.S.C. §103**

Claim 16 was rejected under 35 U.S.C. § 103 as being unpatentable over Edwards in view U.S. Patent No. 2,431,030 to Berkowitz. Withdrawal of the rejection is respectfully requested for at least the following reasons.

Claim 16 has been amended to provide that the second fastening means comprises at least one button secured to an inside of the body of the sack, at least one button secured to an outside of the body of the sack, at least one button hole substantially opposite the at least one button secured to the inside of the body of the sack for fasteningly accommodating the at least one button secured to the inside of the body of the sack and at least one button hole substantially opposite the at least one button secured to the outside of the body of the sack for fasteningly accommodating the at least one button secured to the outside of the body of the sack, where the at least one button hole substantially opposite the at least one button secured to the inside of the body of the sack and the at least one button hole substantially opposite the at least one button secured to the outside of the body of the sack may or may not correspond to the same at least one button hole(s).

It is respectfully submitted that the suggested combination of Edwards in view Berkowitz does not teach these features. In particular, the button 8 in Berkowitz is not secured to an inside of the body of the sack as recited in claim 16 as amended.

Rather, the button 8 in Berkowitz is located on an inside folder or pocket portion 1 of the bag.

As such, the suggested combination does not teach the invention as recited in claim 16 as amended, and withdrawal of this rejection is therefore respectfully requested.

#### **IV. NEW CLAIM 21**

Newly added claim 21 depends from independent claim 11 and provides that the first fastening means fastens a first two drawn together substantially opposing portions of the body near the open end of the sack, and the second fastening means fastening a second two substantially opposing portions of the body near the open end of the sack over the first two drawn together substantially opposing portions of the sack, where the first and second substantially opposing portions are substantially perpendicular to one another.

It is respectfully submitted that claim 21 is allowable over the references cited, at least, because the references do not teach a first and second fastening means that respectively fasten a first two drawn together substantially opposing portions of the sack, and a second two substantially opposing portions of the sack, but over the first two portions. The chord 9 in Edwards, for example, is weaved or laced through multiple grommets 8' at multiple locations around the top opening of the bag 1. As such, the chord does not fasten together two substantially opposing portion of the body near the open end of the sack as in claim 21. Rather, the chord 9 in Edwards bunches together much of the perimeter of the open end of the sack, instead of just two substantially opposing portions as recited in independent claim 11.

Similarly, claim 21 also provides that the first and second substantially opposing portions are substantially perpendicular to one another. Since the chord 9 in Edwards, for example, draws or bunches together much of the perimeter of the open end of the bag 1, Edwards fails to teach this feature because the bunched perimeter of the bag 1 can not be said to be substantially perpendicular to another part of the perimeter of the

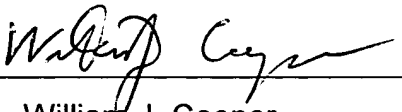
bag 1. Likewise, Berkowitz does not teach fastening together two sets of substantially opposing portions of a bag, where the two sets of substantially opposing portions are substantially perpendicular to one another. Rather, Berkowitz merely teaches fastening a folder type of bag in one direction.

**V. CONCLUSION**

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should any fees be due as a result of the filing of this response, the Commissioner is hereby authorized to charge the Deposit Account Number 50-1733, SHENP101US.

Respectfully submitted,  
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**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper or item referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date September 22, 2006

  
Christine Gillroy